

U.S.S.N.: 09/141,220
Filed: August 27, 1998
TRANSMITTAL OF STATEMENTS CLAIMING SMALL
ENTITY STATUS AND STATEMENTS UNDER 37 C.F.R. § 3.73(b)

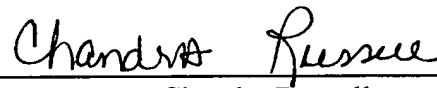
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CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)

I hereby certify that this Transmittal of Statements Claiming Small Entity Status and Statements Under 37 C.F.R. § 3.73(b), together with any paper referred to as being attached or enclosed, is being deposited with the United States Postal Service on the date shown below with sufficient postage as first-class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231.



Chandra Russell

Date: December 10, 1999

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE TECH CENTER 1600/2900

Applicants: Gary A. Bannon, A. Wesley Burks, Jr., Hugh A. Sampson, and Howard B. Sosin

Serial No.: 09/141,220



Group Art Unit: 1644

Filed: August 27, 1998

Examiner: Nolan, P.

For: *METHODS AND REAGENTS FOR DECREASING CLINICAL REACTION TO ALLERGY*

Assistant Commissioner for Patents
Washington, D.C. 20231

**TRANSMITTAL OF STATEMENTS CLAIMING SMALL ENTITY STATUS
AND STATEMENTS UNDER 37 C.F.R. § 3.73(b)**


Sir:

Applicants enclose the following for filing in the above-identified patent application:

1. Statement Claiming Small Entity Status (37 C.F.R. §§ 1.9(f) and 1.27(d) --- Nonprofit Organization) executed by assignee University of Arkansas;
2. Statement Under 37 C.F.R. § 3.73(b) executed by assignee University of Arkansas;
3. Statement Claiming Small Entity Status (37 C.F.R. §§ 1.9(f) and 1.27(d) --- Nonprofit Organization) executed by assignee Mt. Sinai School of Medicine of the City University of New York;
4. Statement Under 37 C.F.R. § 3.73(b) executed by assignee Mt. Sinai School of Medicine of the City University of New York;

5. Statement Claiming Small Entity Status (37 C.F.R. §§ 1.9(f) and 1.27(c) --- Small Business Concern) executed by assignee Panacea Pharmaceuticals, LLC; and
6. Statement Under 37 C.F.R. § 3.73(b) executed by assignee Panacea Pharmaceuticals, LLC.

Respectfully submitted,



Patrea L. Pabst
Reg. No. 31,284

Date: December 10, 1999

ARNALL GOLDEN & GREGORY, LLP
2800 One Atlantic Center
1201 West Peachtree Street
Atlanta, Georgia 30309-3450
404-873-8794
404-873-8795 (fax)

**STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(d))--NONPROFIT ORGANIZATION**

Docket Number (Optional)
HS 102

Applicant, Patentee, or Identifier: Gary A. Bannon, A. Wesley Burks, Jr., Hugh A. Sampson, and Howard B. Sosin

Application or Patent No.: 09/141,220

Filed or Issued: August 27, 1998

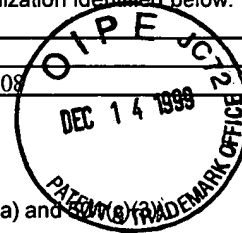
Title: METHODS AND REAGENTS FOR DECREASING
CLINICAL REACTION TO ALLERGY

I hereby state that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF NONPROFIT ORGANIZATION The University of Arkansas

ADDRESS OF NONPROFIT ORGANIZATION 2404 North University Avenue

Little Rock, Arkansas 72207-3608



TYPE OF NONPROFIT ORGANIZATION:

☒ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION

☐ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) and 501(c)(3))

☐ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA
(NAME OF STATE _____)
(CITATION OF STATUTE _____)

☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) and 501(c)(3))
IF LOCATED IN THE UNITED STATES OF AMERICA

☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED
STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA
(NAME OF STATE _____)
(CITATION OF STATUTE _____)

I hereby state that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees to the United States Patent and Trademark Office regarding the invention described in:

- ☐ the specification filed herewith with title as listed above.
☒ the application identified above.
☐ the patent identified above.

I hereby state that rights under contract or law have been conveyed to and remain with the nonprofit organization regarding the above identified invention. If the rights held by the nonprofit organization are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities and that no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization having any rights in the invention is listed below:

- ☐ no such person, concern, or organization exists.
☒ each such person, concern, or organization is listed below.

Mt. Sinai School of Medicine of the City University of New York, One Gustave L. Levy Place,

New York, NY 10029-6574; Panacea Pharmaceuticals, LLC, 640 Sasco Hill Road, Fairfield, Connecticut 06430

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING _____

Mr. Harold J. Evans

Assoc. V.P. For Legal Affairs

TITLE IN ORGANIZATION OF PERSON SIGNING _____

University of Arkansas

2404 North University Avenue

ADDRESS OF PERSON SIGNING _____

Little Rock, AR 72207

SIGNATURE [Signature]

DATE November 9, 1999

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Gary A. Bannon, A. Wesley Burks, Jr., Hugh A. Sampson, and Howard B. Sosin

Application No./Patent No.: 09/141,220 Filed/Issue Date: August 27, 1998

Entitled: METHODS AND REAGENTS FOR DECREASING CLINICAL REACTION TO ALLERGY

University of Arkansas, a University

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☐ the assignee of the entire right, title, and interest; or
2. ☒ an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel 010065, Frame 0008, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☐ Copies of assignments or other documents in the chain of title are attached.

(NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the PTO. See MPEP 302-302.8)

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

November 9, 1999
Date

[Signature]
Signature

— Mr. Harold J. Evans
Assoc. V.P. For Legal Affairs
University of Arkansas

Title

| STATEMENT CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(f) & 1.27(d))--NONPROFIT ORGANIZATION | | Docket Number (Optional) HS 102 |
|---|--|------------------------------------|
| Applicant, Patentee, or Identifier: <u>Gary A. Bannon, A. Wesley Bunn, Jr., Hugh A. Simpson, and Howard B. Sosin</u> | | |
| Application or Patent No.: <u>09/141,220</u> | | |
| Filed or Issued: <u>August 27, 1998</u> | | |
| Title: <u>METHODS AND REAGENTS FOR DECREASING CLINICAL REACTION TO ALLERGY</u> | | |
| I hereby state that I am an official empowered to act on behalf of the nonprofit organization identified below: NAME OF NONPROFIT ORGANIZATION <u>Mt. Sinai School of Medicine of the City University of New York</u> ADDRESS OF NONPROFIT ORGANIZATION <u>One Gustave Levy Place</u> <u>New York, New York 10029-6574</u> | | |
| TYPE OF NONPROFIT ORGANIZATION: <input checked="" type="checkbox"/> UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION <input type="checkbox"/> TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) and 501(c)(3)) <input type="checkbox"/> NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA (NAME OF STATE _____) (CITATION OF STATUTE _____) <input type="checkbox"/> WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) and 501(c)(3)) IF LOCATED IN THE UNITED STATES OF AMERICA <input type="checkbox"/> WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA (NAME OF STATE _____) (CITATION OF STATUTE _____) | | |
| I hereby state that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees to the United States Patent and Trademark Office regarding the invention described in: <input type="checkbox"/> the specification filed herewith with title as listed above. <input checked="" type="checkbox"/> the application identified above. <input type="checkbox"/> the patent identified above. | | |
| I hereby state that rights under contract or law have been conveyed to and remain with the nonprofit organization regarding the above identified invention. If the rights held by the nonprofit organization are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities and that no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). | | |
| Each person, concern, or organization having any rights in the invention is listed below: <input type="checkbox"/> no such person, concern, or organization exists. <input checked="" type="checkbox"/> each such person, concern, or organization is listed below. <u>The University of Arkansas, 2404 North University Avenue, Little Rock, Arkansas 72207-3608</u> <u>Panacea Pharmaceuticals, LLC, 640 Sasco Hill Road, Fairfield, Connecticut 06430</u> I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)) | | |
| NAME OF PERSON SIGNING <u>W. Patrick McGrath, Ph.D.</u> | | |
| TITLE IN ORGANIZATION OF PERSON SIGNING <u>Director, Office of Industrial Liaison</u> | | |
| ADDRESS OF PERSON SIGNING <u>1 Gustave L. Levy Place, Box 1675, New York, NY 10128</u> | | |
| SIGNATURE <u>W. Patrick McGrath</u> DATE <u>November 18, 1999</u> | | |

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Gary A. Bannon, A. Wesley Burks, Jr., Hugh A. Sampson, and Howard B. Sosin

Application No./Patent No.: 09/141,220 Filed/Issue Date: August 27, 1998

Entitled: METHODS AND REAGENTS FOR DECREASING CLINICAL REACTION TO ALLERGY

Mt. Sinai School of Medicine of the City University of New York, a Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☐ the assignee of the entire right, title, and interest; or
2. ☒ an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel 009539, Frame 0550, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE]: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the PTO. See MPEP 302-302.8]

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

November 18th, 1999

Date

W. Patrick McGrath
Signature

W. Patrick McGrath, Ph.D.

Typed or printed name

Director, Office of Industrial Liaison

Title

**STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(c))--SMALL BUSINESS CONCERN**

Docket Number (Optional)
HS 102

Gary A. Bannon, A. Wesley Burks, Jr.,
Applicant, Patentee, or Identifier: Hugh A. Sampson, and Howard B. Sosin
Application or Patent No.: 09/141,220
Filed or Issued: August 27, 1998
Title: METHODS AND REAGENTS FOR DECREASING
CLINICAL REACTION TO ALLERGY

I hereby state that I am

- ☐ the owner of the small business concern identified below:
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN Panacea Pharmaceuticals, LLC
ADDRESS OF SMALL BUSINESS CONCERN 640 Sasco Hill Road
Fairfield, Connecticut 06430

I hereby state that the above identified small business concern qualifies as a small business concern as defined in 13 CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office. Questions related to size standards for a small business concern may be directed to: Small Business Administration, Size Standards Staff, 409 Third Street, SW, Washington, DC 20416.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

- ☐ the specification filed herewith with title as listed above.
☒ the application identified above.
☐ the patent identified above.



If the rights held by the above identified small business concern are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization having any rights in the invention is listed below:

- ☐ no such person, concern, or organization exists. The University of Arkansas, 2404 North University Avenue, Little Rock, AR 72207-3608; Mt. Sinai School of Medicine of the City University of New York, One Gustave Levy Place, New York, New York 10029-6574
☒ each such person, concern, or organization is listed below.

Separate statements are required from each named person, concern or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING Howard B. Sosin
TITLE OF PERSON IF OTHER THAN OWNER _____
ADDRESS OF PERSON SIGNING 640 Sasco Hill Road, Fairfield, CT 06430
SIGNATURE [Signature] DATE Nov 3, 1999

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Gary A. Bannon, A. Wesley Burks, Jr., Hugh A. Sampson, and Howard B. Sosin

Application No./Patent No.: 09/141,220 Filed/Issue Date: August 27, 1998

Entitled: METHODS AND REAGENTS FOR DECREASING CLINICAL REACTION TO ALLERGY

Panacea Pharmaceuticals, LLC

, a Limited Liability Company

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☐ the assignee of the entire right, title, and interest; or
2. ☒ an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel 010190, Frame 0516, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☐ Copies of assignments or other documents in the chain of title are attached.

NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the PTO. See MPEP 302-302.8]

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

November 2, 1999

Date



Signature

Howard B. Sosin

Typed or printed name

Title